

MEMORANDUM

TO: Iowa Commission on Aging
FROM: Deanna Clingan-Fischer, State Long-Term Care Ombudsman
SUBJECT: Long-Term Care Ombudsman Updates
DATE: January 28, 2015

I am pleased to present a few updates from the Office of State the Long-Term Care Ombudsman. If you have any questions, please feel free to contact me at Deanna.Clingan@iowa.gov or 515-725-3327 or Paige Thorson at Paige.Thorson@iowa.gov or 515-725-2051.

1. Annual Report. The 2014 annual report for the Office of the State Long-Term Care Ombudsman was released in January. This report is developed pursuant to Iowa Code 231.42 and sent to the Governor and all members of the General Assembly. The annual report highlights our efforts and presents recommendations. To view the annual report, visit <https://www.iowaaging.gov/annual-report>.

Summary of the Annual Report:

- 1,106 complaints by or on behalf of residents and tenants
- 6,615 hours of advocacy services beyond complaint handling
- 5,604 program activities such as monitoring visits, consultations, and education
- Top five complaint issues received:
 1. Resident and Tenant Care—injuries or falls, improper handling, failure to respond to requests, pressure sores, toileting, inadequate care plan or failure to follow plan; personal hygiene, unattended symptoms such as pain; and administration of medications. (18%)
 2. Autonomy, choice, exercise of rights, privacy—dignity and respect, right to choose own physician or pharmacy, participate in care planning, privacy in receiving visitors, right to refuse care, and confidentiality. (17%)
 3. Admission, Transfer, Discharge and Eviction—admission contracts, room assignments, discharge notice and appeals. (14%)
 4. System/other—abuse by family members/friends/guardians/family conflict, legal issues, mental health concerns, Social Security and other benefits, Medicare, and request for less restrictive placement. (10%)
 5. Financial concerns or property lost, missing or stolen—billing charges, personal funds mismanaged, funds not returned, personal property lost, stolen, used by others, destroyed or withheld from resident/tenant. (6%)

2. Volunteer Ombudsman Program (VOP). The Volunteer Ombudsman Program continues to grow and develop community advocates for their roles as Volunteer Ombudsmen. Through Federal Fiscal Year 2014, the office has:
 - Recruited, trained, and certified 107 volunteers serving 96 facilities (currently, 120 volunteer ombudsmen and 113 facilities)
 - Conducted 24 trainings for 125 potential volunteers (now 38 trainings)
 - Conducted 22 meetings in 62 counties for administrators
 - Served residents through 1,355 volunteer visits
 - Served residents through 2,098 volunteer hours
 - Contributed a total value of \$43,911.14 in in-kind hours to the state
3. Discharge Specialist. On September 5, 2014, Cynthia Pederson started as the discharge specialist. Cindy's role is to assist residents and tenants faced with discharge from the facility they call home. As of January 27, 2015, she has received and handled 96 involuntary discharge notices. When a discharge notice is received, she contacts the facility to inquire about the circumstances surrounding the desire to discharge and discuss possible resolution without discharge. She then contacts the resident or tenant and/or family or decision maker to discuss what this process means and what rights are maintained by the resident or tenant—one of which is the right to appeal. The main reasons for discharge are: financial reasons, level of care concerns, behavior and emergency situations.
4. Civil Money Penalty (CMP) and MDS Section Q Grants. The Office of the State Long-Term Care Ombudsman is administering two grants which accomplish the following:
 - CMP—provide residents in nursing facilities and their family members with information on topics of interest to them such as: residents rights, involuntary discharge, resident and family councils, financial powers of attorney, health care powers of attorney, living wills, VOP, the Long-Term Care Ombudsman Program, long-term care payment and choices, and financial exploitation. These brochures have been distributed to facilities with a kiosk for display and are available on our website.
 - MDS Section Q—Through Section Q, nursing facility residents are identified who wish to learn about available community supports and services with the possibility of returning to the community. Our office is charged with educating residents/families/and decision makers and consulting with long-term care staff on this option of returning to the community. A brochure and fact sheet have been developed.
5. Governor's Budget Recommendation. Within Governor Branstad's budget recommendation is \$127,468 in FY 16 and \$133,513 for FY17 for the Office of the State Long-Term Care Ombudsman. These funds do not represent new programming or additional FTE's but are to assist the office to maintain a status quo program.